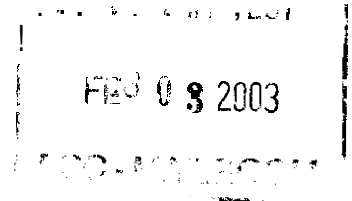


**Before the
Federal Communications Commission
Washington, D.C. 20554**

FCC 03M-07
01932

In the Matter of Applications of)	WT DOCKET NO. 02-179
)	
RESORT AVIATION SERVICES, INC.)	File No. 0000628303
)	
For Renewal of Aeronautical Advisory)	
Station WYT9, Coeur d'Alene Airport,)	
Hayden, Idaho)	
)	
and)	
)	
KOOTENAI COUNTY COEUR D'ALENE)	File No. 0000663272
AIRPORT)	
)	
For a New Aeronautical Advisory Station at)	
Coeur d'Alene Airport, Hayden, Idaho)	



MEMORANDUM OPINION AND ORDER

Issued January 28, 2003

Released January 30, 2003

By *Hearing Designation Order*, 17 FCC Rcd 12816 (WTB 2002), the mutually exclusive applications of Resort Aviation Services, Inc. ("Resort"), and Kootenai County Coeur d'Alene Airport ("Kootenai") for an aeronautical advisory (unicom) station at Coeur d'Alene Airport, Hayden, Idaho, were designated for hearing.¹ The following issues were specified

- (a) To determine which applicant would provide the public with better unicom service based on the following considerations:
 - (1) location of the fixed-based operation and proposed radio station in relation to the landing area and traffic patterns;
 - (2) hours of operation;
 - (3) personnel available to provide unicom service;
 - (4) experience of applicant and employees in aviation and aviation communications;
 - (5) ability to provide information pertaining to primary and secondary communications as specified in Section 87.257 of the Commission's Rules;

¹ Unicorn stations provide information concerning flying conditions, weather, availability of ground services, and other information to promote the safe and expeditious operation of aircraft. See Section 87.213 of the Commission's Rules.

(6) proposed radio system including control and dispatch points;
and

(7) the availability of the radio facilities to other fixed-based
operators[.]

- (b) To determine, in light of the evidence presented, which application,
if any, should be granted to best serve the public interest,
convenience, and necessity.

Hearing Designation Order at para. 2. A prehearing conference was held on August 13, 2002. The hearing was scheduled to commence at 9:00 a.m. on January 27, 2003. **Order**, FCC 02M-74, released August 15, 2002.

On January 27, 2003, prior to the formal commencement of the hearing, the applicants reached a mutually agreeable settlement. Pursuant to their agreement, a stipulation was read into the record, and Kootenai made an oral motion to withdraw its application, as well as any objection it had to a grant of the application of Resort. Kootenai's motion was granted, and its application will, therefore, be dismissed.

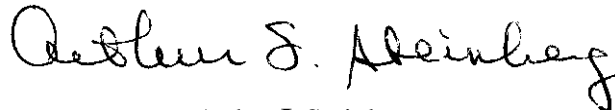
Given the withdrawal of Kootenai's application, the mutual exclusivity which existed between the applicants has been eliminated, and the issues designated for hearing have become moot. Consequently, since Resort has been found to be "basically qualified," **Hearing Designation Order** at para. 1, there remains no impediment to an immediate grant of its application, and it will be granted. Finally, this proceeding will be terminated.

Accordingly, IT IS ORDERED that the application of Kootenai County Coeur d'Alene Airport for a new aeronautical advisory station at Coeur d'Alene Airport, Hayden, Idaho, File No. 0000663272, IS DISMISSED with prejudice.

IT IS FURTHER ORDERED that the application of Resort Aviation Services, Inc., for renewal of aeronautical advisory Station WYT9, Coeur d'Alene Airport, Hayden, Idaho, File No. 0000628303, IS GRANTED.

IT IS FURTHER ORDERED that this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg
Administrative Law Judge